### County of Summit · The High Point of Ohio



### **Summit County Planning Commission (SCPC)**

Thursday October 24, 2019 - 3:00 p.m. County of Summit, County Council Chambers 175 South Main Street, 7<sup>th</sup> Floor, Akron, Ohio

### **Meeting Agenda**

A.	Call to Order	Chair Mavrides
B.	Roll Call	Smith
C.	Approval of the September 26, 2019 SCPC Minutes	<b>Chair Mavrides</b>
D.	Business Items	Knittel

### **New Business**

Item #1 – Outdoor Advertising Sign, Text Amendment, Copley Township, Proposed amendment to Article 8-Sign Regulations, Section 8.07-Signs in Commercial and Industrial Districts, H. Outdoor Advertising Signs.

**Item #2 – Definitions, Text Amendment, Sagamore Hills Township**, Proposed revisions to Section Two, Definitions.

E. Report from Assistant Director

Tubbs

F. Comments from Public

**Chair Mavrides** 

Comment from Public – Liberty Lakes Revised Preliminary Plan Presentation – The developer would like to have a preliminary discussion about their proposed site changes prior to seeking formal approval to ensure major issues are handled early in the process.

G. Comments from Commission Members

**Chair Mavrides** 

H. Other

1. Legal Update

Nott

I. Adjournment

**Chair Mavrides** 

### **County of Summit**

Ilene Shapiro, County Executive

Summit County Planning Commission Thursday, September 26, 2019 - 3:00 p.m. County of Summit, County Council Chambers 175 South Main Street, 7<sup>th</sup> Floor, Akron, Ohio

### **Minutes of September Meeting**

**Members Present:** George Beckham, Becky Corbett, Jerry Feeman, Helen Humphrys, David Kline, Allen Mavrides, Jeff Snell, Dennis Stoiber, and Robert Terry

Members Absent: Jason Segedy, and Jeff Wilhite

**Staff:** Dennis Tubbs, Stephen Knittel, Dave Nott, and Cazz Smith Jr.

**Others:** Matthew Springer – *Copley TWP*, Gary Biales – Omni VP of Development, Joe Paradise – *SCE*, Matt Weber – *Weber Engineering Services, Don Saunders - Northfield Center TWP* 

### I. Call to Order

*Allen Mavrides* called the meeting to order on *Thursday, September 26, 2019* at *3:00 pm* in the County of Summit Council Chambers, 175 South Main Street, 7<sup>th</sup> Floor, Akron Ohio 44308. A roll call was conducted by *Cazz Smith* the attending members constituted a quorum.

### II. Approval of the August 29, 2019 Meeting Minutes

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George	X					X
Corbett, Becky	X					X
Feeman, Jerry	X		X	X		
Humphrys, Helen	X			X		
Kline, David	X			X		
Mavrides, Allen	X					X
Segedy, Jason						
Snell, Jeff	X			X		
Stoiber, Dennis	X	X		X		
Terry, Robert	X			X		
Wilhite, Jeff						

#### Motion

**Dennis Stoiber** made a motion to approve the minutes of the **July 25, 2019** meeting, and it was seconded by **Jerry Feeman** the motion passed with three abstentions from **George Beckham, Becky Corbett,** and **Allen Mavrides.** 

### III. Business Items

### A. New Business -(2) items

**Item #1 – Heritage Centre Allotment Replat – Copley Township** – Proposed vacation of a portion of Heritage Center Drive, with the re-dedication of the cul-de-sac of Heritage Center Drive and the Creation of Sublot C-R1 from sublots C-R and D

**Staff Recommendation**: Staff recommends to the Summit County Planning Commission that the proposed text amendment be conditionally approved per comments from SCE Office.

SCPC Action:

Conditional Approval: X

Disapproval: Action:

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George	X			X		
Corbett, Becky	X			X		
Feeman, Jerry	X			X		
Humphrys, Helen	X					X
Kline, David	X		X	X		
Mavrides, Allen	X			X		
Segedy, Jason						
Snell, Jeff	X	X		X		
Stoiber, Dennis	X			X		
Terry, Robert	X			X		
Wilhite, Jeff						

- Gary Biales from Omni Senior Living stated the reason for his request.
- Matt Springer from Township of Copley stated the trustees met earlier and passed two resolutions supporting the request of Mr. Biales.
- Joe Paradise from SCE insisted on a traffic study and the thirteen additional comments from the engineer's office be resolved.
- Matt Weber from Weber Engineer Services stated they are in favor of submitting a traffic study.
- Jeff Snell from SCPC motioned that the traffic study be a recommendation to County Council and the thirteen items from the engineer's office as conditions for approval.
- No public for comment.

### **Motion**

A motion was made by *Jeff Snell* to approve **Heritage Centre Allotment Replat – Copley Township**, it was seconded by *David Kline* the motion passed with one abstention from *Helen Humphrys*.

Item # 2 – Chapter 130/450.02 Text Amendment - Northfield Center Township – Proposed text changes to Chapter 130 "Definitions" and to chapter 450 "Regulations for Wireless Telecommunications Facilities"

**Staff Recommendation**: Staff recommends to the Summit County Planning Commission that the proposed text amendment be approved.

SCPC Action: Approval: X Disapproval: Action:

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George	X		X	X		
Corbett, Becky	X			X		
Feeman, Jerry	X			X		
Humphrys, Helen	X			X		
Kline, David	X			X		
Mavrides, Allen	X	X		X		
Segedy, Jason						
Snell, Jeff	X			X		
Stoiber, Dennis	X			X		
Terry, Robert	X			X		
Wilhite, Jeff						

- Don Saunders stated his reason for the text amendment.
- No public for comment.

### **Motion**

A motion was made by *Allen Mavrides* to approve **Item # 2 – Chapter 130/450.02 Text Amendment - Northfield Center Township**, with due consideration to examine language in regards to the definition of "Fire Department" to ensure that if the Township's fire service provider changes or if the Township returns to a Township wide fire district service that is not under contract that this definition will remain accurate as well as to remove the words "especially one working or" from the proposed definition, it was second by *George Beckham* the motion passed with no abstentions.

### IV. Report from Assistant Director

No report from Assistant Director.

### V. Comments from Public

No comments from public.

### VI. Comments from Planning Commission Members

No comments from SCPC.

### VII. Other

No comments from legal department.

### VIII. Next Meeting

The next Summit County Planning Commission meeting will be held on *Thursday*, *October 24*, *2019*.

### IX. Adjournment

Being no further business to come before the Planning Commission, *David Kline* made a motion to adjourn, and it was seconded by *George Beckham*. The motion passed unanimously. The meeting adjourned at 4:07pm.



## Planning Commission Zoning Text Amendment Outdoor Advertising Signs Copley Township

Item No.: 1

Meeting: October 24, 2019

**Applicant:** Copley Township Zoning Commission

**Proposal:** Outdoor Advertising Signs

**Processor:** Stephen Knittel

**Proposal:** The applicant has proposed that the Copley Township Zoning Resolution Article 8-Sign Regulations, Section 8.07-Signs in Commercial and Industrial Districts, H. Outdoor Advertising Signs, be amended to add further clarification.

**Proposed Text Amendments:** Text that is struck through is text proposed for deletion, new proposed text is underlined.

### H. Outdoor Advertising Signs

- 1. Outdoor advertising signs are permitted only to the extent provided for in O.R.C. § 519.20.
- 2. The maximum size for an outdoor advertising sign shall be four hundred (400) square feet.
- 3. All outdoor advertising signs shall be of monopole construction.
- 4. No outdoor advertising sign may display a message that changes more frequently than once in every twenty-four (24) hours.
- 5. Outdoor advertising signs must be separated along any street, roadway or highway by a minimum distance of one thousand (1,000) feet.

### H. Outdoor Advertising Signs

- 1. Outdoor advertising signs are hereby classified as a business use, and, in compliance with O.R.C. § 519.20, are permitted uses in all non-residential districts, and on lots that are used for agricultural purposes.
- 2. Only one outdoor advertising sign, with a maximum of two sign faces, may be permitted on a single lot.
- 3. An outdoor advertising sign shall be considered the principal use of a lot.

- 4. <u>Each lot shall comply with the minimum lot size requirement in the applicable zoning district.</u>
- 5. Outdoor advertising signs shall be freestanding signs and shall not be located on or attached to a building or other structure not intended or utilized for the sole purpose of supporting said sign.
  - a. <u>The maximum sign area and sign height for outdoor advertising signs are</u> as follows:

### PERMITTED OUTDOOR ADVERTISING SIGNS

<u>District</u>	<u>Maximum</u>	<u>Maximum</u>
	<u>Area</u>	<u>Height</u>
When located on a lot with an agricultural use in a residential		
district	40 sq. ft.	8 feet
When located in any commercial district as defined by Article 4	150 sq. ft.	
of this Zoning Resolution or any industrial district as defined by Article 5 of this Zoning Resolution		<u>15 feet</u>

- 6. <u>All outdoor advertising signs shall comply with the setback requirements of the applicable zoning district.</u>
- 7. Outdoor advertising signs shall be set back a minimum of 1,000 feet from any other outdoor advertising sign.
- 8. Outdoor advertising signs located along any federal or state route shall comply with all applicable federal and state regulations including Sections 5516.06 and 5516.061 of the ORC.
- 9. An outdoor advertising sign shall be erected in a landscaped setting that has a minimum size equal to or exceeding the sign face area set forth in paragraph (H)(5)(a).
- 10. The illumination of outdoor advertising signs shall comply with the following:
  - a. <u>Outdoor advertising signs located within residential districts or within 1,000 feet of a residential district shall not be illuminated.</u>
  - b. Outdoor advertising signs located in a nonresidential district may be externally illuminated through fixtures located external to the sign face and no internal light sources or light producing elements in the sign face or message media shall be permitted.
- 11. <u>All outdoor advertising signs shall be of monopole construction.</u>

12. <u>No outdoor advertising sign may display a message that changes more frequently than once in every twenty-four (24) hours.</u>

### **Summary of the changes proposed**:

- To add a limit to the number of faces a sign may have, as well as the number of signs per lot.
- To declare that an outdoor advertising sign is a principle use of a lot.
- Each lot must comply with minimum lot size requirements.
- Outdoor advertising signs shall be freestanding signs and shall not be located on or attached to a building or other structure not intended or utilized for the sole purpose of supporting said sign.
- To add a maximum area and height for outdoor advertising signs in various zoning districts.
- To specify additional regulations signs must follow.
- To prohibit the illumination of signs within 1,000 feet of a residential district.
- All outdoor advertising signs shall be of monopole construction.
- No outdoor advertising sign may display a message that changes more frequently than once in every twenty-four (24) hours.

### **Staff Comments:**

Staff's review concluded with no issues regarding the proposed text amendments.

**Recommendation:** Staff recommends to the Summit County Planning Commission that the proposed text amendments be **APPROVED.** 



Planning Commission
Zoning Text Amendment
Section Two, Definitions
Sagamore Hills Township

Item No.: 2

Meeting: October 24, 2019

**Applicant:** Sagamore Hills Township Zoning Commission

Proposal: Section Two, Definitions

**Processor:** Stephen Knittel

**Proposal:** The applicant has proposed that the Sagamore Hills Township Zoning Resolution Section Two, Definitions, be amended to add additional definitions, to remove definitions and to correct numbering through the Section.

**Proposed Text Amendments:** Text that is struck through is text proposed for deletion, new proposed text is underlined.

### **Section 2.0 Definitions**

**Definitions in general** - Words used in the present tense include the future, the singular number includes the plural, and the plural, the singular. The words "occupied" or "used" as applied to any building or premises shall be construed as though followed by the words "or intended, arranged, or designed, or designed to be occupied or used." All distances are horizontal measurements unless otherwise specified. The word "shall" is mandatory, unless the natural construction of the wording indicates otherwise. This Resolution includes all resolutions, amending, explaining or supplementing the same. The Township Zoning Inspector includes all persons succeeding him by whatever title known, in the duties and powers provided for him by this Resolution.

- 2.1 **Accessory Building** A subordinate structure detached from, but located on the same lot as the principal structure, the use  $\underline{of}$  which is customarily incidental or accessory  $\underline{ancillary}$  to the principal structure. (Effective 7/18/91)
- 2.2 **Accessory Use** A subordinate use located on the same lot as the principal use and customarily incidental to the main use. (Effective 7/18/91)

### 2.3 Adult Entertainment Establishment - As defined by O.R.C. 503.51

Adult Arcade Any place to which the public is permitted or invited wherein, coin operated or token operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are

distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas." (Effective 2/16/99)

- 2.4 Adult Bookstore or Adult Video Store A commercial establishment which as one if its principal purposes offers for sale or rental for any form of consideration any one or more of the following:

  a. Books magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representation which depict or describe "specified sexual activities" or "specified anatomical areas" or;
- b. Instruments, devices, or paraphernalia, other than medical or contraceptive devices, which are designed for use in connection with "specified sexual activities." (Effective 2/16/99)
- 2.5 Adult Cabaret A nightclub, bar, restaurant, or similar commercial establishment which regularly features:
- a. Persons who appear in a state of nudity, or;
- b. Live performances which are characterized by the exposure of "specified anatomical area" or "specified sexual activities." (Effective 2/16/99)
- 2.6 Adult Motion Picture Theater A commercial establishment where, for any form or consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas." (Effective 2/16/99)
- 2.7 Adult-Oriented Businesses Shall be as defined by O.R.C. 503.65, as it may be amended. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representation which depict or describe "specified sexual activities" or "specified anatomical areas" or:
  - a. Instruments, devices, or paraphernalia, other than medical or contraceptive devises, which are designed for use in connection with "specified sexual activities."

(Effective 2/16/99)

- 2.8 **Adult Theater** A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or nudity or live performances which are characterized by the exposure of "specified sexual activities" or "specified anatomical area." (Effective 2/16/99)
- 2.93 Agriculture The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, apiculture, animal and poultry husbandry, and necessary accessory use for the packing, treating, or storing the produce; provided that the operation of such accessory use shall be secondary to that of the normal agricultural activities, and provided that the above uses shall not include the commercial feeding of garbage or

offal to swine or other animals. A use shall be classified as agricultural only as a dwelling house for a person engaged in agriculture is not a structure incidental to an agricultural use of land so as to be exempt from the provisions of a zoning regulation enacted pursuant to Chapter 519.21 of the Ohio Revised Code. As defined by Ohio Revised Code 519.01.

- 2.104 Apartment Is any <u>rental</u> unit consisting of four two or more family dwelling units.
- 2.445 Assisted Living A facility for independent, semi-independent and/or nursing care living arrangements which provides care and group housing, containing single rooms or other dwelling units which may consist of one or more bedrooms, bathing facilities, dining area, visiting and recreational facilities, or a combination thereof and which may include a health care and wellness component. Such living arrangements shall provide residents with available services ranging from housekeeping, meal preparation and service, laundry, transportation and recreation. and will include a health care and wellness component. This type of facility shall not be classed as multifamily dwellings. The terminology used in this definition is specifically for the nursing care component. It is non-applicable to any other portion of Sagamore Hills Township zoning. It is to be used only in conjunction with a nursing care component.
- 2.126 Bar Premises used primarily for the sale or dispensing of liquor by the drink for on-site consumption and where food may be available for consumption on the premises as accessory to the principal use.
- 2.127 **Basement** That portion of a building which is partly or wholly below grade but so located that the average vertical distance from the finished grade to the floor is greater than the vertical distance from the finished grade to the ceiling. (Effective 3/25/92)
- 2.138 Bed and Breakfast Inn A residential building containing no more than five (5) lodging rooms for a length of no more than fourteen (14) consecutive days in any thirty (30) day period; said building is the owner's principal residence. Only breakfast to overnight guests is served.
- 2.149 **Board** Board of Zoning Appeals. (Effective 6/5/87)
- 2.1510 Buffer Zone "Buffer Zone" is an area separating residential from commercial, residential from industrial, and commercial from industrial. Such buffer zones are to be established by other than residential district users, and shall contain natural or ornamental planting. (Effective 6/5/87)
- 2.1611 Building Area A building area is the aggregate of the maximum horizontal cross sections of a building on a lot, excluding including cornices, eaves, gutters, one-story open, porch, balconies and terraces.
- 2.1712 Building Structure A "building" is a combination of building materials to form a construction other then a camp car, a trailer, or other car, on or off wheels, that is safe and stably designed, built or occupied as a shelter or enclosure for persons, animals or property. The term "building" shall be construed under this Resolution as if followed by the words "or parts thereof" and shall be construed to include "structure".

Any structure having a roof supported by columns or by walls and intended for the

### shelter, housing or enclosure of persons, animals, or chattels.

- 2.<del>18</del>13 Change of Use Any alteration in the primary use of a lot for zoning purposes. (Effective 7/18/91)
- 2.1914 Code The Zoning Resolution of the Township of Sagamore Hills. (Effective 7/18/91)
- 2.20<u>15</u> Commercial Recreation Park A "commercial recreation park" is an area owned privately or by a corporation, company etc., designed and intended for use by the public, either on a daily basis fee or on a membership basis.
- 2.2115 Commission Sagamore Hills Township Zoning Commission. (Effective 6/5/87)
- 2.2216 Conditional Use A use which may be permitted in specific districts subject to the compliance with certain standards and explicit conditions set forth in the Zoning Code and the granting of a conditional use permit, through approval by the **Sagamore Hills Township** Board of Zoning Appeals. (Effective 7/18/91)
- 2.23<u>17</u> Cul-de-Sac The starting point for all roads for land area measurements on a Cul-de-Sac shall be one half (½) of the radii of circle. (Effective 6/24/78)

A street having only a single means of ingress and egress and having a turn-around at the end.

- 2.24<u>18</u> **District** Sections or areas of the unincorporated territory of Sagamore Hills, Ohio, for which the regulations governing the use of buildings, and premises, or the height, and the area of buildings, are uniform.
- 2.19 <u>Drive-In Service Service to customers while seated in their vehicles upon the premises.</u> It shall also include any establishment where the customers may serve themselves and are permitted to consume food and beverages in a vehicle parked on the premises or at other facilities which are provided for the use of the patron for the purpose of consumption and which is located outside of the building. Establishments lacking food attendant service shall be considered "drive-in service" restaurants.
- <u>2.20</u> <u>Drive-Thru Service Service from a building to customers in vehicles through an outdoor service window or by any other means.</u>
- 2.2521 Dwelling A "dwelling" is a building above the ground other than a camp car, trailer, or other car on or off wheels, designed for and to be occupied exclusively for human habitation. A single family dwelling is a structure occupied by one or more people residing together as a recognized unit, and/or two or more persons occupying the same dwelling by mutual consent, the primary purpose not being solely for financial gain, as a boarding, lodging, or tourist home.
- 2.26<u>22</u> Family A "family" is one or more persons occupying a dwelling as a single, non profit housekeeping occupying a boarding, lodging, or tourist home, sorority or fraternity house, hotel or motel.

- One or more persons related by blood, adoption or marriage and up to two (2) unrelated individuals living and cooking together as a single housekeeping unit, but not occupying as a hotel, motel, boarding, lodging, or tourist home.
- 2.23 <u>Fast-Food Service Any establishment whose principal business is the sale of ready to consume food, for carry-out, and where such food is usually served in paper, plastic, or other disposable containers, and where the customers are not served their food by a restaurant employee at the same table or counter where the items are consumed.</u>
- 2.2724 Fence A barrier of living plants or trees, wooden posts, wire, iron, stone, plastics, or any other material, solid or otherwise used as a boundary or means of protection or confinement <u>or a screening device.</u>
- 2.2825 Frontage or front lot line The "frontage" or "front lot line" is a measured distance of property on one side of a street or road.
- 2.2926 Garage Vehicle Service Facility is a building or space other than a private garage, for the storage or repair of motor vehicles, with or without ordinary maintenance service or sales of accessories and parts is permitted, but not including gasoline filling station service.
- 2.3027 Garage Sale All sales open to the public, conducted from or on a residential premise, for the purpose, of disposing of personal property including, but not limited to, all sales entitled garage, yard, lawn, basement, attic, porch, room, tent, backyard, patio, flea market, community sale, tag, estate or rummage. (Effective 10/31/90)
- 2.3128 Gasoline Vehicle Service Station A "gasoline vehicle service station" is a building or part of a building or structure or space used for the retail sale of gasoline, lubricants, and motor vehicle accessories, and for minor service and repairs not accompanied by objectionable noise, fumes or odor.
- 2.3229 Grade The general grade levels are defined as:
- 2.32 1 2.29-1 Established Street Grade The "established street grade" is the roadway elevation established by construction or usage measured at the roadway centerline in the front center of the lot.
- 2.32-2 2.29-2 Natural Grade The "natural grade" is the elevation of the undisturbed natural surface of the ground. adjoining the building or structure.
- 2.32-3 2.29-3 Finished Grade The "finished grade" is the final average elevation of the surface of the ground after development.
- 2.33<u>32 Half-Story</u> A "half story" is the portion of a building between the top floor, and a sloping roof, and with the eave line of two opposite exterior walls at least three (3) feet above the second floor line.

- 2.34<u>30</u> **Height of Building** The "height of a building" is the vertical distance to the highest point of the building from the "finished grade".
- 2.35<u>31</u> **Height of Structure** The "height of structure" other than a building, is the vertical distance to the highest point of the structure measured from the "established street grade," if the structure is located in front of the setback building line, and from the finished grade if located on or back of the setback building line.
- 2.3632 Home Occupation "Home occupation" is a gainful occupation conducted wholly within the <u>living area.</u> main building and not an accessory building. However, a garage may be used providing that the home occupation does not preclude the storage of the number of vehicles for which the garage was designed.
- 2.3733 Hotel, Motel, Boarding, Lodging, Tourist home are defined as:
- 2.37-12.33-1 Hotel A "hotel" is a building or part thereof operated as **a** public inn, and offering to the public for compensation, guest rooms without provision for cooking in any guest room.
- 2.37 22.33-2 Motel A "motel" is a series of attached or semi-detached, single or multiple story dwelling units offered to the public for compensation containing bedroom, and closet space where each unit has convenient access to a parking space for use of the units occupants. The site of the motel shall have direct and convenient access to a public road.
- 2.37-32.33-3 Boarding, lodging or tourist home A "boarding, lodging or tourist home" is a dwelling, other than a hotel, where meals, sleeping accommodations, or both are provided for either definite or indefinite periods; or any dwelling advertised as a boarding, lodging, or tourist home.
- 2.38<u>37</u> High-Rise Apartment Any apartment three (3) floors or higher.
- 2.39<u>43</u> Internet Sweepstakes Café and Internet Business Center Typically sell prepaid cards, where customer with the prepaid card is provided onsite computer time where the customer can win prizes ranging from, but not limited to, more internet time to payouts of cash. The payouts are randomly awarded rather than based on skill. (Effective 5/9/11)
- 2.40<u>34</u> Junk Yard Any land used for abandonment, storage, keeping, collecting, or bailing of paper rags, scrap metals, other scrap, junk, or discarded materials. Land used for abandonment, demolition, dismantling, storage, or salvaging of automobiles or other vehicles including machinery not in running condition or parts thereof. Any automobile, truck or other vehicle which meets two (2) or more of the following three (3) conditions shall be deemed as a junk vehicle:
- 1. <u>Extensively</u> damaged, such as <u>including</u> body damage, broken windows or windshield, missing wheels, tires, motor or transmission.
- 2. Unlicensed.
- 3. Inoperable.
- 2.35 Living Area "That area within a building provided with heating and/or cooling

- systems or appliances capable of maintaining, through design or heat loss/gain, 68 degrees Fahrenheit (20 degrees Celsius) during the heating season and/or 80 degrees Fahrenheit (27 degrees Celsius) during the cooling season, but nevertheless excluding attics, garages, and accessory structures."
- 2.4136 Lot The numerous uses of "lot" are defined as follows:
- 2.41 12.36-1 Lot A "lot" is a parcel of land having frontage on a street or road.
- 2.41-22.36-2 Corner lot A "corner lot" is a lot abutting two streets or roads at the intersection where the angle of the intersection is not more than 135 degrees.
- 2.41-32.36-3 Interior lot -An interior lot" for the purpose of this Resolution is defined to be any lot other than a corner lot.
- 2.41-42.36-4 Front lot line The "front lot line" is the street or road line of the lot in the case of an interior lot and that street or road line designated by the owner as the front line in the case of a corner lot.
- 2.41-52.36-5 Rear lot line The "rear lot line" is the lot line opposite the front lot line.
- 2.41-62.36-6 Side lot line The "side lot line" is a lot line other than a front or rear lot line.
- 2.41-72.36-7 **Depth of a lot** The "depth of a lot" is the distance from the middle of the front lot line to the middle of the rear lot line.
- 2.41-82.36-8 Width of a lot The "width of a lot" is the width measured at both the minimum building setback line, and the street right-of-way.
- 2.41-92.36-9 Structure measure All measurements shall be taken from the furthest projection of the structure. (Effective 6/26/78)
- 2.4237 Lot Area The computed area contained within the lot lines. (Effective 7/18/91)
- 2.4338 Lot of Record A "lot of record" is a lot which has been recorded in the office of the Recorder of Summit County.
- 2.43<u>39</u> **Main Building** A "main building" is <u>the</u> building or space occupied by the chief use or activity on the premises.
- 2.4540 Multi-Dwelling Unit Consisting Consists of two (2) or three (3) more family dwelling units.
- 2.4645 Municipal Central Sewer Service Municipal Central Sewer Service is that service as provided for Sagamore Hills Township, and for the Summit County Commissioners for our sanitary district; and the system and its operation shall conform to the requirements of the Summit

### County Sanitary Engineer.

- 2.47<u>46</u> Municipal Central Water Service shall meet the following conditions:
- 2.47-12.46-1 Source of water supply must be assured and as constant as is obtained from Lake Erie.
- 2.47-22.46-2 Volume of water supply shall be sufficient to guarantee the continued demands of each family.
- 2.47-32.46-3 Pumping and storage facilities shall be sufficient to provide a minimum of 50 lb. pressure at users taps.
- 2.47-42.46-4 Water mains shall meet the size and material specifications as required by the Cleveland Water Utilities.
- 2.48 Non-Conforming Buildings and Lots A building or lot existing at the time the Zoning Code or an amendment there to became effective, but which does not conform to the current regulations. (Effective 7/18/91)
- 2.49 **Non-Conforming** Use A "non-conforming use" is the use of land or a building or structure which does not conform to the regulations of the District in which it is situated. Setback building line of a structure erected prior to the effective date of this amended resolution shall not make said structure "non-conforming".
- 2.41 Non-Conforming Use. A use lawfully existing prior to the enactment of the zoning resolution, and that is maintained after the effective date of the resolution or modification to the resolution, although it does not conform to the zoning resolution applicable to the District in which it is situated.
- 2.42 Non-Conforming Lot. A lot, the area, dimensions, or location of which was lawful prior to the adoption, revision, or amendment of the Resolution but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the District.
- 2.43 Non-Conforming Structure or Building. A structure or building, the size, dimensions or location of which was lawful prior to the adoption, revision, or admendment to the Resolution but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the District.
- 2.50 Nude Model Studio Any place where a person who appears in a "state of nudity" or displays "specified anatomical areas" is provided solely to be sketched, drawn, painted, sculptures, photographed, or similarly depicted by other persons. (Effective 2/16/99)
- 2.51 Nudity or a State of Nudity:

- a. The appearance of a human buttocks, anus, genitals, or areola of the female breast; or;
- b. The state of dress which fails to cover opaquely a human buttocks, anus, genitals, or areola of the female breast. (Effective 2/16/99)
- <u>2.44</u> <u>Ohio Revised Code The Code (also referred to as O.R.C. in this text) which</u> contains the laws passed by the Ohio General Assembly.
- <u>2.45</u> <u>Outdoor Recycling Collection Bin</u> <u>A receptacle to serve as a neighborhood</u> drop-off point for temporary storage of recyclables.
- 2.5246 Outdoor Wood-Fired Boiler or Heater Outdoor wood-fired boiler (OWB) or outdoor wood-fired hydronic heater or outdoor wood heater or outdoor wood burning furnace means a fuel burning device specified by the manufacturer for outside installation and designated to heat interior building space and/or water via the distribution, typically through pipes, of a fluid heated by the device, typically water or a water/antifreeze mixture. (Adopted 5/9/11)
- 2.5347 Parking Lot A "parking lot" is an open and/or covered lot or plot of ground used by the public, with or without a consideration, for standing or parking motor vehicles, no part of which is a public street.
- 2.5448 Playing Field A "playing field" is any public or privately owned area set aside for games or athletic activities.
- 2.5549 Private Garage A "private garage" is a building or space for storage of the occupants motor vehicle(s).
- 2.5650 Public Right-of-Way All of the land included within an area which is dedicated, reserved by deed or granted by easement for street, roadway, or utility purpose as well as in certain circumstances, grade separations, landscaped areas, viaducts and bridges.

(Effective 7/18/91)

- 2.57<u>51</u> **Rear Yard** A "rear yard" is the yard across the full width of the lot between the rear line of the main building and rear lot line. The depth of the rear yard is the minimum distance between those two lines.
- 2.58<u>52</u> **Residential Professional Office** A "residential professional office" is an office established in a residence for the use of a practitioner of a recognized profession.
- 2.53 Restaurant An establishment where the principal business is the sale of unpacked food to the public on demand in ready-to- consume individual servings, and where the food is served in and on non-disposable (reusable by the restaurant) containers by a restaurant employee to customers seated at tables or counters located (primarily) inside the restaurant building, where the customer than consumes these foods. Any provisions for takeout and delivery service of food would be incidental to the principal business. All restaurants shall

### have at least thirty-five percent (35%) of the gross floor area in enclosed building dining area.

2.60<u>54</u> Roadside Stand - A "roadside stand" is a removable structure used or intended to be used solely by the owner or inhabitant of the property on which it is located, for the sale of seasonal agricultural products produced on the premise. During seasonal sales such structure shall not be placed nearer than twenty (20) feet from the road right-of-way, and shall not be located to cause congestion on the highway. (Effective 6/5/87)

A roadside stand shall mean a farm market as defined by 519.21.

- 2.6155 Rubbish Dump A "rubbish dump" is the premises upon which organic, inorganic, or other refuse is dumped with ultimate disposal by the elements. placed or stored.
- 2.62<u>56</u> Satellite Dish Antenna An apparatus or structure designed, constructed or modified, for sending or receiving communication or television signals from any orbiting transmitter or transmitter relay. (Effective 6/5/87)
- 2.6357 Setback Building Line A "setback building line" is the line parallel to the street or road line established as the minimum distance behind which a building may be erected.
- 2.64 **Sexually-Oriented Businesses:** An adult areade, adult bookstore, adult video store, adult cabaret, adult motion picture theater or adult theater, but does not include a nude model studio. (Effective 2/16/99)
- 2.64<u>58</u> Sign A "sign" is any card, cloth, paper, metal, painted surface, glass, wooden, plaster, stone or other sign of any kind or character whatsoever, placed for outdoor advertising of professional purpose on the ground or any tree or anything whatsoever. The term "placed" as used in this definition shall include erecting, constructing, posting, painting, tacking, nailing, gluing, sticking, carving, or otherwise fastening, affixing, or making visible in any manner whatsoever.
- 2.6559 Site Plan The development plan for one or more lots on which is shown the existing and proposed conditions of the lot, including topography, vegetation, drainage, flood plains, wetlands, and waterways; landscaping and open spaces; walkways; means of ingress and egress; circulation; utility services; structures and buildings; signs and lighting; berms, buffers, and screening devices; surrounding development; and any other information that reasonably may be required in order that an informed decision can be made by the approving authority.
- 2.660 Ski Snow Recreational Park A recreational facility located on property containing a minimum of fifty (50) acres, having ski slopes, ski trails and passenger tramways that are administered or operated as a single enterprise providing ski snow recreational activities and the sale of ski snow recreational activities and may provide for the sale of supplies and food products for use and or consumption within the park. (Effective 10/5/00)
- 2.67 **Specified Anatomical Areas:** Human genitals. (Effective 2/16/99)

### **2.68 Specified Sexual Activities:**

- a. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts.
- b. Sex acts, normal or perverted, actual or stimulated, including intercourse, oral copulation, or sodomy.
  - c. Masturbation, actual or simulated. (Effective 2/16/99)
- 2.6761 Street or Road A "street or road" is all property dedicated for a public thoroughfare.
- 2.6862 Story A "story" is the portion of a building included between the surface of a floor and the ceiling above it. A "basement or cellar" construction shall not be deemed to be a story, or half-story.
- 2.7063 Structure -A "structure" is anything constructed, erected, or placed, the use of which requires location on the ground, including advertising signs either on or off wheels, skids, or billboards, mounds of dirt greater than five (5) feet in height or man-made depressions greater than five (5) feet in depth. (Effective 2/26/79)
- 2.7164 Structural Alteration A "structural alteration" is any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, or any increase in the area of cubical contents of the building.
- 2.72<u>65</u> Swimming Pool An artificial pool of water having a depth of water at any point of more than one and one-half feet, constructed above or below ground, indoors or outdoors, having a surface area of two hundred (200) square feet or more, and used or intended to be used for the immersion of human beings for the purpose of swimming.
- (Effective 7/18/91) A water filled enclosure permanently constructed or portable, having a depth of more than 18 inches below the level of the surrounding land or an above surface pool having a depth of more than 3 inches designed, used and maintained for swimming and recreational use."
- 2.8466 Tavern An establishment used primarily for the serving of liquor by the drink to the general public and where food or packaged liquors may be served or sold only as accessory to the primary use.
- 2.7367 Telecommunications: Technology permitting the passage of information from the sender to one or more receivers in a usable form by means of any electromagnetic system.
- 2.74<u>68</u> Trailer Camp A "trailer camp" is a tract or parcel of land upon which camp cottages, or spaces are provided for temporary accommodation to place automobile trailers, campers, mobile homes, tents, and house cars for human habitation.
- 2.7569 Trustee The "Trustees" of Sagamore Hills Township are a board of three (3) members elected or appointed to govern and carry on the business of the Township of Sagamore Hills.

- 2.7670 Use. The purpose or activity for which land or buildings are designed, arranged, or intended or for which land or buildings are occupied or maintained.
- 2.7671 Variance A modification of the Zoning Code permitted in an instance where a literal application of the Zoning Code would result in unnecessary hardships as a result of some peculiar or unique condition or circumstance with procedures and standards set forth in the Zoning Resolutions. (Effective 7/18/91)
- 2.7772 Veterinary, Animal Hospital or Clinic A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for treatment, observation and/or recuperation.
- 2.7873 Wireless Communication Site: The plot of land upon which the tower structure and equipment building are secured.
- 2.7974 Wireless Communication Site Collocation: Sharing of structures by several Wireless Service Providers.
- 2.8075 Wireless Telecommunications Antenna: An antenna designed to transmit or receive communications as authorized by the Federal Communications Commission excluding amateur radio operator's antenna.
- 2.8176 Wireless Telecommunications Equipment Building: The structure in which the electronic receiving and relay equipment for a wireless telecommunications facility is housed.
- 2.8277 Wireless Telecommunications Facility: A facility consisting of the equipment and structures involved in receiving telecommunications or radio signals from a mobile radio communications source and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines.
- 2.8378 Wireless Telecommunications Tower: A structure intended to support equipment used to transmit and/or receive telecommunications signals including monopole, guyed and lattice construction of steel structures.
- 2.8479 Yard The various uses of "yard" are defined as:
- 2.84-<u>79-1</u> Yard A "yard" is a space other than a court on the same lot with main building, and extending from the lot line to the nearest wall of the main building, unobstructed from the ground to the sky, except as otherwise provided herein.

An open space that lies between the principal building or buildings and the nearest lot line. The minimum required yard as set forth in the ordinance is unoccupied and unobstructed from the ground upward except as may be specifically provided in the zoning ordinance and shall include front yard, side yard and rear yard.

- 2.84-79-2 Front yard A "front yard" is the yard across the full width of the lot extending from the main building to the street or lot line.
- 2.84-79-3 Side yard A "side yard" is the yard between the main building line and the side lot line, and extending from the front yard to the rear yard.
- 79-4 Rear Yard a "rear yard" is the yard extending across the full width of the lot between the principal building and the rear lot line and measured perpendicular to the building to the closest point of the rear lot line.
- 2.8580 Zoning Map The "Zoning District Map of Sagamore Hills Township, Summit County, Ohio".

## <u>2.81</u> <u>Zoning Officer – The administrative officer designated to administer the zoning ordinance and issue zoning permits.</u>

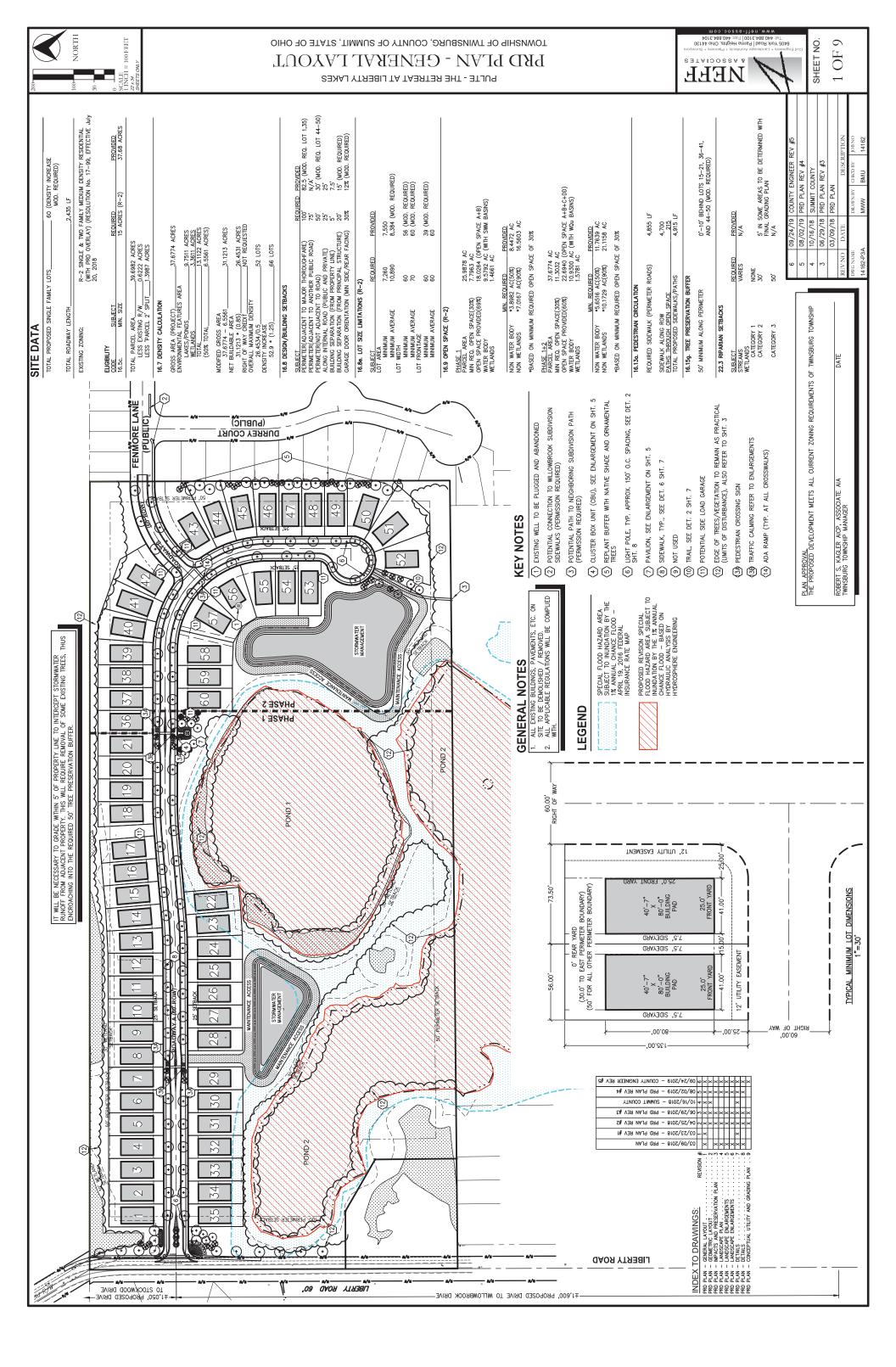
### **Staff Comments:**

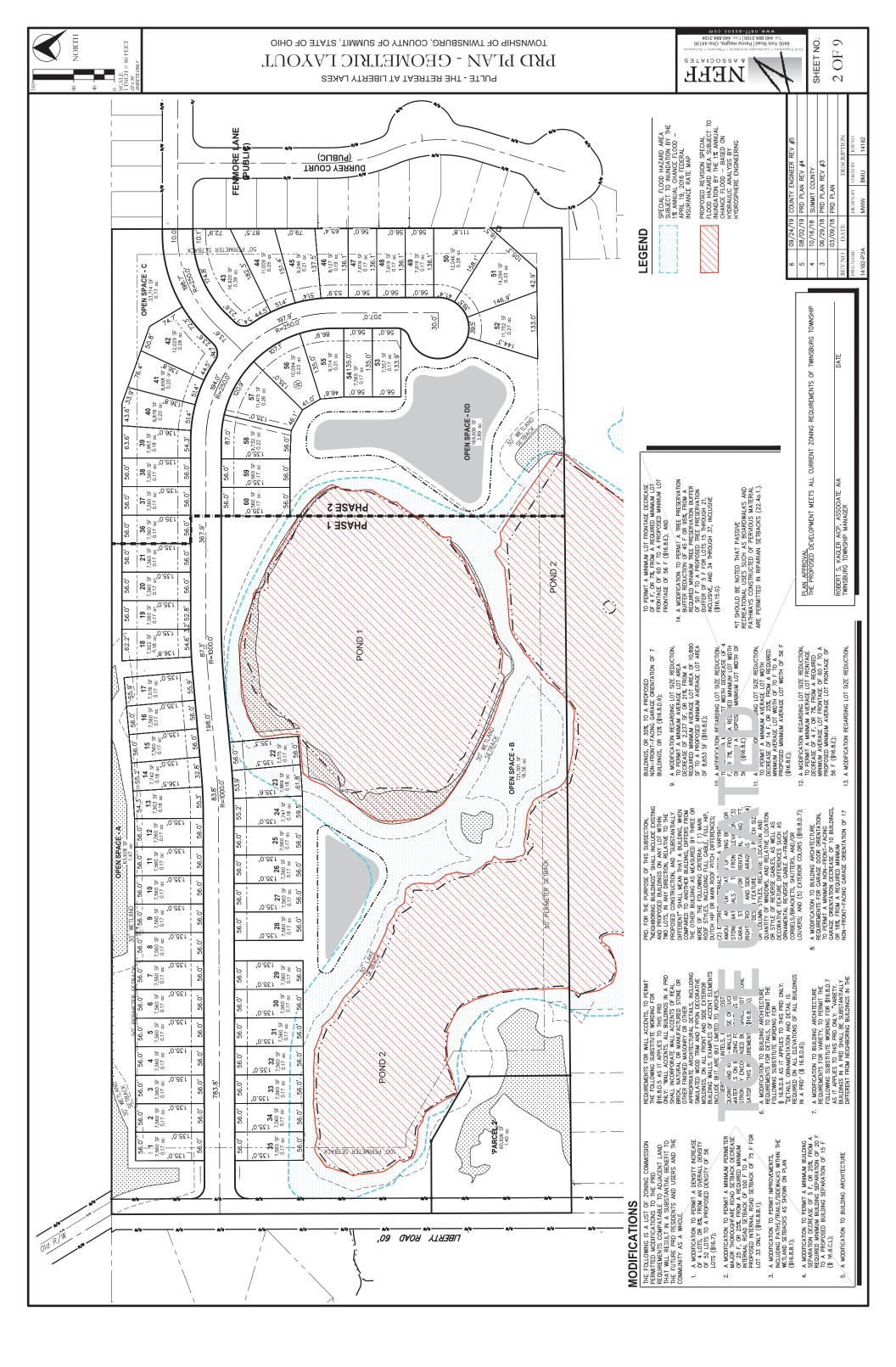
Staff recommends including a definition of "Open Space" as the term is used in the township resolution and in the definition of site plan. Within the Sagamore Hills Township Zoning Resolution in Section 3 Residential District requirements for open space are listed as follows:

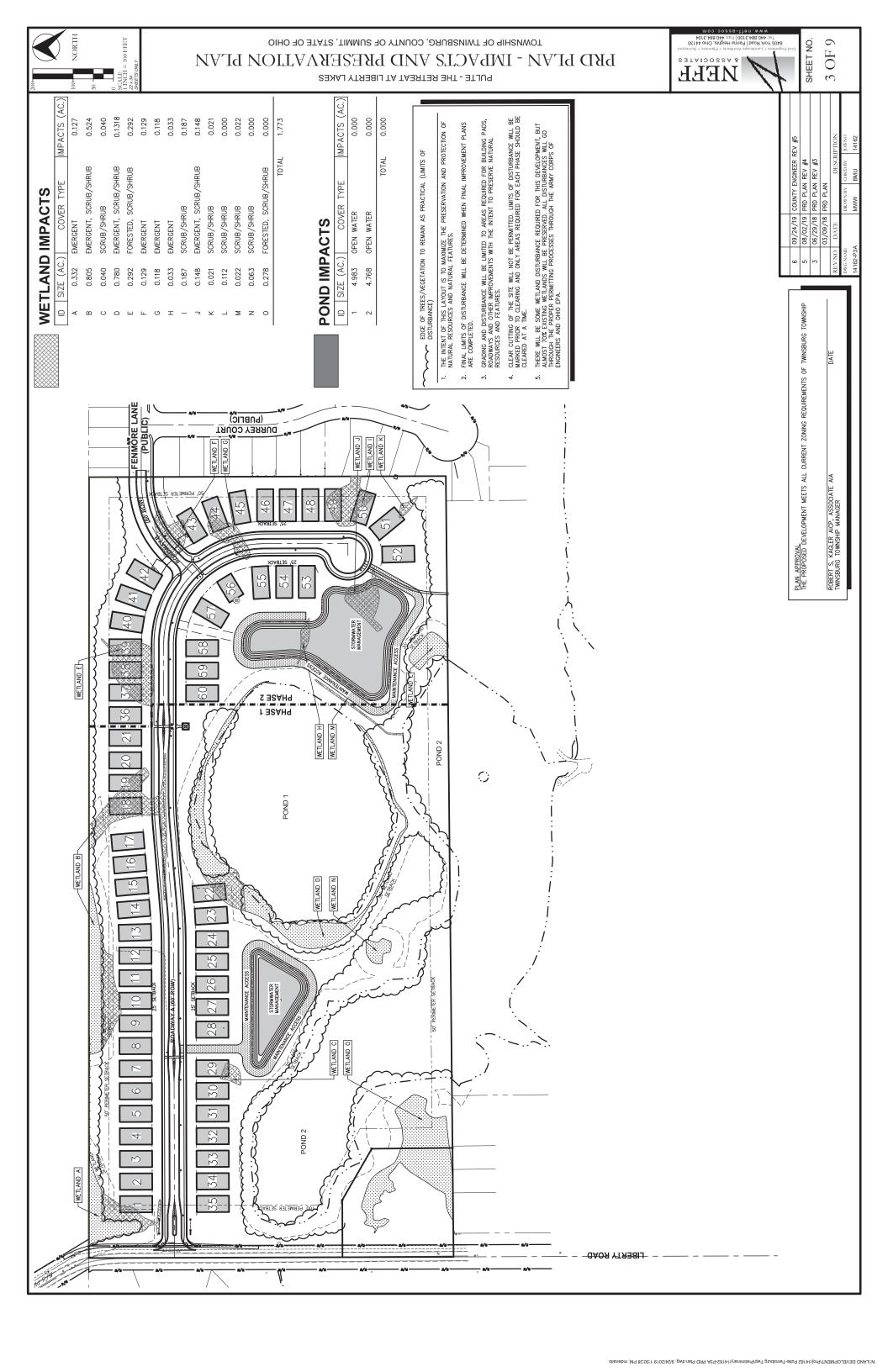
- **5.1 b 2.** A minimum of forty (40%) percent of contiguous gross development area shall remain as undeveloped open space and shall be preserved in its undisturbed state.
- **5.2** The open space shall be subject to the following conditions:
- **a.** Land in streets, sidewalks, utility easements and right-of-ways, non-buildable areas (to include storm drainage right-of-ways and wetlands) and land used for recreational purposes shall not be included in open space to offset a reduction in lot area calculations.
- **b**. Use of open space shall be limited to conservation and similar purposes and left in perpetuation in an undisturbed state.

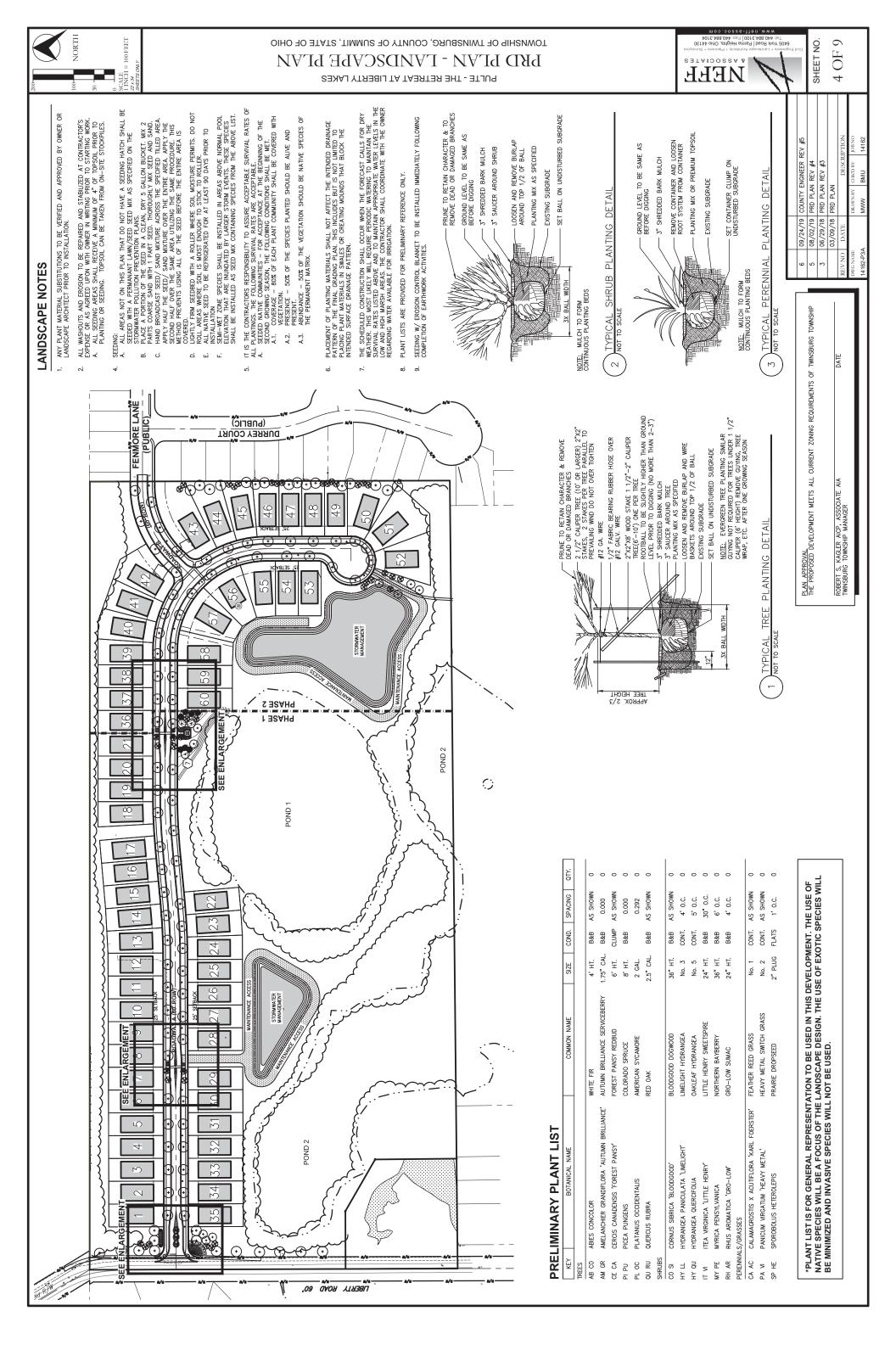
A sample definition of Open Space would be along the lines of: Any area of land or water essentially unimproved and intended to provide light and air. Open space may include, but is not limited to, dedicated or reserved land for public or private use for recreational facilities or conservation purposes.

**Recommendation:** Staff recommends to the Summit County Planning Commission that the proposed text amendments be **APPROVED.** 









TOWNSHIP OF TWINSBURG, COUNTY OF SUMMIT, STATE OF OHIO

### PRD PLAN - LANDSCAPE ENLARGEMENTS

PULTE - THE RETREAT AT LIBERTY LAKES



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9	09/24/19 COUNTY ENGINEER REV #5	COUNTY E	NGINEER R	EV #5
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3	06/29/18	06/29/18 PRD PLAN REV #3	I REV #3	
	03/09/18 PRD PLAN	PRD PLAN		
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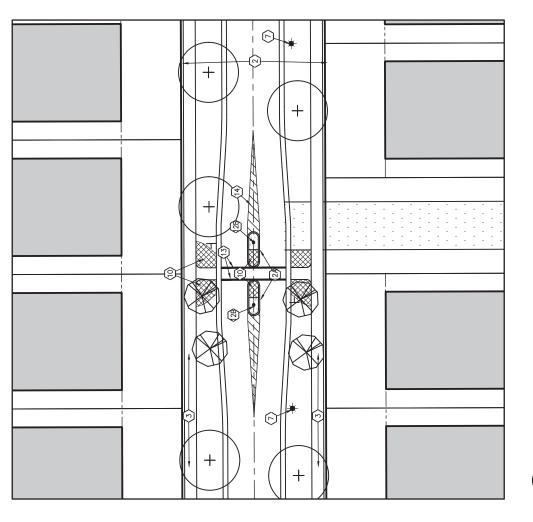
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	3	06/29/18 PRD PLAN REV #3	PRD PLAN	REV #3	
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		ZONING REQUIREMENTS OF TWINSBURG TOWNSHIP	



PAVILLION OVERLOOK AND TRAFFIC CALMING CROSSWALK

T IN. = 20 FT. (FULL SIZE SHT. ONLY)

# **KEY NOTES**

- (1) MAIN ENTRY SIGN, SEE DET. 3 SHT. 8
  (2) TYPICAL ROAD SECTION, SEE DET. 6 SHT. 7
  (3) SIDEWALK, TYP., SEE DET. 6 SHT. 7
  (4) TRAIL, SEE DET. 2 SHT. 7
  (5) COLUMN, SEE SHT. 8
  (6) INDUSTRIAL ALUMINUM FENCE, SEE SHT. 8
  (7) LIGHT POLE, TYP. AT 150' O.C. MAX., SEE DET. 2 SHT. 8
  (8) PAVILION, SEE DET. 7 SHT. 7
  (9) CLUSTER BOX UNIT (CBU)
  (10) LANDSCAPE BED
  (11) LANDSCAPE MOUNDING AS PRACTICAL
  (22) CURBED ISLAND, FLUSH TO 6" WITH LANDSCAPE BED (REQUIRES SUMMIT COUNTY APPROVAL)

- CURBED ISLAND, FLUSH TO 6" WITH LANDSCAPE BED (REQUIRES SUMMIT COUNTY APPROVAL)
  - $\{\underline{\mathfrak{B}}$  Yellow Flexible delineator Post (requires summit county approval)

    - 20' COUNTY REQUIRED MAINTENANCE ACCESS ROAD (13) PAINTED CROSSWALK
      (14) PAVEMENT MARKINGS
      (15) 20' COUNTY REQUIRED I

PLAN APPROVAL THE PROPOSED DEVELOPMENT MEETS ALL CURRENT

ROBERT S, KAGLER AICP, ASSOCIATE AIA TWINSBURG TOWNSHIP MANAGER

